

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**WEN CHIANN YEH,**  
*Petitioner,*

**v.**

**MERIT SYSTEMS PROTECTION BOARD,**  
*Respondent.*

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2012-3216

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Petition for review of the Merit Systems Protection Board in case no. CH1221110433-W-2.

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**ON MOTION**

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**O R D E R**

The Department of Defense moves to recaption to designate the Merit Systems Protection Board (“Board”) as the respondent. Wen Chiann Yeh responds. Yeh moves for discovery of surveillance camera films for specific dates.

We note that the Rules of Practice for the United States Court of Appeals for the Federal Circuit do not

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provide for discovery. This court's review is based on the written record of proceedings at the Merit Systems Protection Board. See Fed. R. App. P. 16(a); Pro Se Guide, Paragraph 7.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The Department of Defense's motion to reform the caption is granted. The revised official caption is reflected above. The respondent should calculate its brief due date from the filing of petitioner's brief or from the date of this order, whichever is applicable.

(2) Yeh's motion for discovery is denied.

FOR THE COURT

/s/ Jan Horbaly  
Jan Horbaly  
Clerk

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